

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2172 - SB 2208

February 5, 2020

SUMMARY OF BILL: Creates a Class A misdemeanor offense of disclosing the address or location of family violence shelter, with the intent to cause harm.

ESTIMATED FISCAL IMPACT:

Increase Local Expenditures – Exceeds \$1,900/FY20-21 and Subsequent Years*

Assumptions:

- The *Family Violence Prevention and Services Act of 1984* (42 U.S.C. Section 10401, et seq.) and the *Violence Against Women Act of 1994* (8 U.S.C. and 42 U.S.C.) require that any shelter, rape crisis center, domestic violence program, or similar service, in order to maintain its federal funding, are barred from disclosing to anyone any information about a victim receiving services in order to keep location and records confidential from abusers, crime perpetrators, family, community members, state or local law enforcement, and federal immigration officers.
- The proposed legislation will result in at least two local jail admissions each year.
- The potential punishment for a Class A misdemeanor is up to 11 months, 29 days in jail, a fine up to \$2,500, or both.
- This analysis estimates the average sentence length for such a violation will be 15 days in local jail.
- The average cost to local governments to house an inmate in a local jail facility is \$64 per day.
- The proposed legislation will result in a mandatory increase in local expenditures estimated to exceed \$1,920 [(15 days x \$64) x 2] in FY20-21 and subsequent years.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly increase local revenue.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/jmg